

Town Board Minutes

Meeting No. 29

Regular Meeting

November 4, 1996

MEETINGS TO DATE 29
NO. OF REGULARS 21
NO. OF SPECIALS 8

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LANCASTER, NEW YORK
NOVEMBER 4, 1996

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 4th day of November 1996 at 8:00 P.M. and there were

PRESENT: DONALD KWAK, COUNCIL MEMBER
JOHN MILLER, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT THILL, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
ROBERT LANEY, BUILDING INSPECTOR
THOMAS FOWLER, CHIEF OF POLICE
JOHANNA COLEMAN, RECEIVER OF TAXES
CHRISTINE FUSCO, ASSESSOR

PERSONS ADDRESSING TOWN BOARD:

Gull, Henry, 710 Pavement Road, spoke to the Town Board on the following matters:
The cost of inspections at the Tops site.
Lighting at the Tops site.
Future plans for expansion at the Tops site.
Revenue from the Tops building permit.

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matter:
The alleged refusal of the Town Attorney to respond to a FOIL request. When he refused to listen to a reply from the Town Attorney, the Supervisor ruled Mr. Schneggenburger out of order and directed him to be seated.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:46 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed plan of financing for the acquisition by purchase of a 1996 pumper fire truck and related firematic equipment, for use by the Twin District Volunteer Fire Company, Inc.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

OPPOSERS Page 813

None

None

COMMENTS & QUESTIONS

None

ON MOTION BY COUNCIL MEMBER MILLER, AND SECONDED BY COUNCIL MEMBER STEMPNIAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:48 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

PUBLIC HEARING SCHEDULED FOR 8:40 P.M.:

At 8:50 P.M., the Town Board held a Public Hearing to hear all interested persons upon the 1997 Preliminary Budget.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The following persons were heard on the 1997 preliminary budget:

Frank DeCarlo	6 Hillview Drive
Mel Brown	5984 Genesee Street
Randi Dressel	5011 William Street
Edward Mann	30 Lombardy Street
Joyce Farrell	467 Pleasant View Drive
Tim Walsh	90 Southpoint Drive
Brian Fahey	6211 Genesee Street
Gloria Kubicki	15 Maple Drive
Robert Heckl	706 Pavement Road
David Baehre	5755 Genesee Street
Mark Kotas	332 Lake Avenue
Marie Benklemen	681 Pleasant View Drive
Gina Williams	73 Michael's Walk
Joyce Kotwicki	245 Stony Road
Roy Schneggenburger	87 Stony Road
John Pawlick	194 Aurora Street
Richard Reese	2659 Genesee Street

ON MOTION BY COUNCIL MEMBER MILLER AND SECONDED BY COUNCIL MEMBER MONTOUR AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 11:55 P.M.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board
held on October 21, 1996 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 4, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MILLER, TO WIT:

WHEREAS, Catherine Panzarella, 3101 Townline Road, Alden, New York 14004 has applied for a Dumping Permit for property situated at 94.00-3-22.1 Walden Avenue, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review and made a formal, favorable recommendation to the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that Catherine Panzarella, be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant at 94.00-3-22.1 Walden Avenue, Lancaster, New York 14086, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk. and,

BE IT FURTHER

RESOLVED, that **this permit is conditioned** in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. All fill must consist of clean, hard fill. Demolition material is not acceptable. No building permit will be issued for fill area without proper compaction test.
2. Close monitoring of the site to prevent unauthorized dumping of non-permitted material.
3. Roads must be cleaned on a daily basis and more often if necessary.
4. No fill to be placed in or along the ditch without approval from the Town Engineer and any other agency having jurisdiction.
5. The height of the fill must be limited to one foot above the center line of the road and no higher than the existing properties to the east and west.
6. Dumping will be allowed between the hours of 7 AM and 5 PM Monday through Saturday. No dumping will be allowed on Sunday.

7. Site must be graded, top soiled and seeded upon completion of filling or within one year.

and,

BE IT FURTHER

RESOLVED, THAT PURSUANT TO CHAPTER 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein **expires one year from date of this resolution.**

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 4, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK . TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter
dated October 23, 1996, has requested the deletion of a member from the active roster of said fire
association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms
the deletion from the membership of the Twin District Volunteer Fire Company, Inc. of the
following individual:

DELETION

Michael Satko
1307 French Road
Depew, New York 14043

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 4, 1996

File: RFIRE (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MONTOUR, TO WIT:

WHEREAS, Walter Ferry, 140 Cemetery Road, Lancaster, New York 14086,
has applied to the Town Board of the Town of Lancaster for permits to construct Public
Improvements upon real property in the Town of Lancaster within Autumn Park Subdivision,
and

WHEREAS, the Town Engineer of the Town of Lancaster has certified
on the following permit applications that he has reviewed the improvement plans and permit
applications for the installation of the public improvements requested, and that they conform to
the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application Nos. 447 and 448
of Walter Ferry, 140 Cemetery Road, Lancaster, New York, for the installation of:

P.I.P. No. 447 - 320 lf of sidewalk
(Sidewalk)

P.I.P. No. 448 - 9 locations
(Street Lights)

be and are hereby approved and the installation of the improvements requested be and are
hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEPNIA	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 4, 1996

File: RPIP (P6)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR , TO WIT

WHEREAS, the Town Board of the Town of Lancaster deems it in the public
interest to make certain amendments to the Town Ordinance entitled, VEHICLE AND
TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF
NEW YORK, designated as Chapter 46 of the Code of the Town of Lancaster;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New
York, a public hearing on a proposed amendment to the Vehicle & Traffic Ordinance, Chapter
46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at
the Town Hall, 21 Central Avenue, Lancaster, New York, on the 18th day of November, 1996,
at 8:30 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be
published on or before November 7, 1996, in the Lancaster Bee, the Official Newspaper, being a
newspaper of general circulation in said Town, and be posted on the Town Bulletin Board,
which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 4, 1996

File: rvtordh.

**LEGAL NOTICE
PUBLIC HEARING
PUBLIC HEARING**

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LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 4th day of November, 1996, the said Town Board will hold a Public Hearing on the 18th day of November, 1996, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

STOP AND YIELD INTERSECTIONS

§46-8, Stop Intersections designated, is hereby amended by adding thereto the following:

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
Brunswick Road	Spohn Drive	S.E. Corner

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: ROBERT P. THILL
Town Clerk**

November 4, 1996

File: rvtordh.n96

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK , TO WIT:

APPROVAL OF THE SUPERVISOR OF THE
TOWN OF LANCASTER, NEW YORK,
FOR THE ISSUANCE OF A TAX-EXEMPT OBLIGATION
BY THE TWIN DISTRICT VOLUNTEER FIRE COMPANY, INC.

WHEREAS, the Twin District Volunteer Fire Company, Inc., (the "Fire Company"), intends to issue the obligation described in the schedule herein set forth below (the "Schedule") to provide for the acquisition by purchase and financing of the project (the "Project") identified and described in the Schedule; and

WHEREAS, pursuant to Section 147 (f) of the Internal Revenue Code of 1986, as amended (the "Code"), approval of the issuance of such obligation is required to be given by the applicable elected representative of the governmental unit on behalf of which such obligation is issued and the governmental unit within which the Project is located, after a public hearing following reasonable public notice; and

WHEREAS, pursuant to Section 147(f)(4)(B) of the Code, the Town of Lancaster, (the "Town") in the County of Erie, New York, is treated as the governmental unit on behalf of which such obligation is issued and is also the governmental unit within which the Project is located; and

WHEREAS, the undersigned is the applicable elected official of the Town, within the meaning of Section 147(f) of the Code, authorized to approve the issuance of such obligation for the Project in the amount not to exceed the amount set forth in the Schedule;

NOW, THEREFORE, a public hearing on the proposed financing having been duly conducted, a report of such hearing having been duly made, appropriate findings and any appropriate certification or determination of project need having been provided, the issuance of the obligation to finance the Project described in the Schedule is hereby approved.

SCHEDULE

**AMOUNT OF
OBLIGATIONS:** Not to exceed \$350,000

PROJECT AND DESCRIPTION:	Purchase of a 1996 pumper fire truck and related firematic equipment
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Pursuant to applicable New York State law, the Fire Company will issue a tax-exempt obligation to Manufacturers and Traders Trust Company and use the proceeds to finance the acquisition by purchase of a 1996 pumper fire truck and related firematic equipment, as hereinabove described (the "Project"). The obligation will be a general obligation of the Fire Company payable from the Fire Company's general revenues. The Project will be owned by the Fire Company and it will be located at the Twin District Volunteer Fire Company Firehouse, in the Town of Lancaster, New York.

Robert H. Giza
Supervisor, Town of Lancaster

Dated: November 4, 1996

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 4, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK, TO WIT:

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RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 10800 to Claim No. 11008 Inclusive

Total amount hereby authorized to be paid: **\$568,364.26**

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 4, 1996



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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., is under contract
to provide fire service to the Town of Lancaster Fire Protection District, and

WHEREAS, Twin District Volunteer Fire Company is building an addition to its
firehall and has asked the Town to consider relieving it of payment of the Site Plan Review and
Building Permit fees, and

WHEREAS, the Town Board, after due review and consideration deemt it in the
public interest to provide the relief sought by this volunteer fire company;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby waives any
and all Chapter 30 Permit and Application Fees of the Code of the Town of Lancaster as they
apply to a proposed addition to the Twin District Volunteer Company, Inc., in recognition of the
volunteer efforts of said company.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 4, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
MEMBER MILLER, TO WIT:

WHEREAS, Wholesale Transmission has submitted a Site Plan dated September 9, 1996 for the construction of a 2,600 sq. ft. addition to its existing facility located at 4238 Walden Avenue, in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and by letter dated October 3, 1996, recommended approval, and

WHEREAS, this project has been reviewed under the SEQR Regulations and it was determined to be a Type II action and as such no further action is required with respect to the SEQR process;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by **Wholesale Transmission** for the construction of an addition to its existing facility located at 4238 Walden Avenue in the Town of Lancaster, with plans prepared by Edwin R. Shackleton, Jr., Architect, dated, September 9, 1996.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 4, 1996

File: rsite2.n96

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK , TO WIT:

WHEREAS, Twin District Volunteer Fire Company, Inc., has submitted a Site Plan dated September 25, 1996 for the construction of an addition to its existing firehall located on the south side of William Street west of Lake Avenue and locally known as 4999 William Street in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and by letter dated October 18, 1996, recommended approval, and

WHEREAS, this project has been reviewed under the SEQR Regulations and it was determined to be a Type II action and as such no further action is required with respect to the SEQR process;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by **Twin District Volunteer Fire Company** for the construction of an addition to its existing firehall on premises located on the south side of William Street west of Lake Avenue, and locally known as 4999 William Street in the Town of Lancaster, with plans prepared by RFL Architects, P.C. dated , September 25, 1996.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 4, 1996

File: rsite.n96

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER KWAK , WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

<u>No.</u>	<u>Code Applicant</u>	<u>Street Address</u>	<u>Structure</u>
3862	L Bruce Klingelsmith	1284 Townline Rd	Er. Entrance
3863	Scott Shields	23 Partridge Wk	Er. Pool
3864	Gerald K Richards(Agent)	Transit Rd	Er. Restaurant
3865	Forbes Homes Inc	3 Cambridge Ct	Er. Sin. Dwlg
3866	M J Ogiony Bldrs	5 Stream View Ln	Er. Sin. Dwlg
3867	Thomas Seurer	76 Williamsburg Ln	Alt. Sin. Dwlg
3868	Chloe Koetzle	6024 Genesee St	Er. Fence
3869	Joseph A Zaccaria	35 Running Brk Dr	Er. Shed
3870	Moeller Signs	6643 Transit Rd	Replace Sign
3871	Rob Mikulec	23 Sagebrush Ln	Er. Shed
3872	Stratford Homes	8 Traceway	Er. Sin. Dwlg
3873	Michael Griffin	34 Village View	Er. Shed
3874	Ryan Homes	2 Schiffler Ct	Er. Sin. Dwlg
3875	Glenrdige Dev.	97-119 Olde Stone Ln	Er. Condos
3877	Cracker Barrel Rest	6643 Transit Rd	Er. Sign
3878	Holy Mother of the Rosary	6298 Broadway	Er. Temp. Sign
3879	Ryan Homes	5088 William St	Er. Sin. Dwlg
3880	Ryan Homes	3 Signal Dr	Er. Sin. Dwlg

and,

BE IT FURTHER

RESOLVED, that Building Permit No. 3876 applied for by Majestic Pools to erect a storage building on premises situate at 4370 Walden Avenue, be and is hereby tabled until the Planning Board gives site plan approval, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 4, 1996

FILE: RBLDG.2 (P1-2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER , WHO MOVED
ITS ADOPTION. SECONDED BY
COUNCIL MEMBER STEMPIAK , TO WIT:

WHEREAS, four fire companies have previously entered into contracts with the Town of Lancaster to furnish fire protection within the Town of Lancaster, which contracts will, according to their respective terms, expire December 31, 1996;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 184 of the Town Law of the State of New York, separate public hearings will be held on the 18th day of November, 1996, at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, in accordance with the following schedule:

8:40 o'clock P.M., Local Time	-	Bowmansville Volunteer Fire Association, Inc.
8:50 o'clock P.M., Local Time		Millgrove Volunteer Fire Department, Inc.
9:00 o'clock P.M., Local Time		Town Line Volunteer Fire Department, Inc.
9:10 o'clock P.M.		Twin District Volunteer Fire Company, Inc.

and that Notice of such hearings shall be published in the Lancaster Bee on the 7th day of November, 1996, and posted on the Town Bulletin Board, which Notice shall specify the time and place where said separate hearings will be held and describe in general terms the proposed separate contracts and said Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 4, 1996

File: rfirenh

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 4th day of November, 1996, will hold separate public hearings on the 18th day of November at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on a proposed three-year contract for fire protection services, in accordance with the following schedule:

8:40 o'clock P.M., Local Time	-	Bowmansville Volunteer Fire Association, Inc.
8:50 o'clock P.M., Local Time	-	Millgrove Volunteer Fire Department, Inc.
9:00 o'clock P.M., Local Time	-	Town Line Volunteer Fire Department, Inc.
9:10 o'clock P.M., Local Time		Twin District Volunteer Fire Company, Inc.

for the purpose of hearing all interested persons for or against a separate contract to be entered into by each of said parties in accordance with Section 184 of the Town Law, for fire protection to be furnished by each of said fire companies, to the Fire Protection District established in the Town of Lancaster, upon the following general terms, to wit:

- A. The term of this contract shall be for three (3) years, commencing January 1, 1997 and terminating December 31, 1999.
- B. Each fire company shall answer and attend upon all calls in said Fire Protection District, and provide emergency first aid, rescue and emergency Transportation service as defined in Section 184 of the Town Law and Section 209-b of the General Municipal Law, in that territory described in said proposed contract filed in the Town Clerk's office.
- C. For such services, the said fire companies shall receive payment for the following years:
 - 1) January 1, 1997 to December 31, 1997
 - 2) January 1, 1998 to December 31, 1998
 - 3) January 1, 1999 to December 31, 1999
- D. Such other incidental terms as may be necessary or proper in connection with such contracting.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

By: **ROBERT P. THILL**
Town Clerk

November 4, 1996

Council Member Miller requested a suspension of the necessary rule for ^{Page 831}
immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public
interest to make certain amendments to the Town Ordinance entitled, VEHICLE AND
TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF
NEW YORK, designated as Chapter 46 of the Code of the Town of Lancaster:

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New
York, a public hearing on a proposed amendment to the Vehicle & Traffic Ordinance, Chapter
46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at
the Town Hall, 21 Central Avenue, Lancaster, New York, on the 18th day of November, 1996,
at 9:20 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be
published on or before November 7, 1996, in the Lancaster Bee, the Official Newspaper, being a
newspaper of general circulation in said Town, and be posted on the Town Bulletin Board,
which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 4, 1996

File: rvtordh.

**LEGAL NOTICE
PUBLIC HEARING
PUBLIC HEARING**

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LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 4th day of November, 1996, the said Town Board will hold a Public Hearing on the 18th day of November, 1996, at 9:20 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

ARTICLE X - Parking, Standing and Stopping.

§46-10. Application of Article

.....

C. Shall be amended by adding thereto, the following:

§46-10.

C.

"(2) Parking of vehicles is prohibited within three designated parking spaces adjacent to Lancaster-Williamsville Podiatry, 338 Harris Hill Road, Williamsville, Town of Lancaster, New York, Which premises is part of English Park Village, Except for vehicles displaying a card containing The following: "THIS VEHICLE AUTHORIZED TO PARK WITHIN THE DESIGNATED PARKING SPACED OF LANCASTER-WILLIAMSVILLE PODIATRY.

The designated spaces shall have permanently Affixed thereto signs which reas as follows:
"PARKING PROHIBITED EXCEPT FOR LANCASTER-WILLIAMSVILLE PODIATRY PATIENTS DISPLAYING PERMITS TO PARK."

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**,BY: ROBERT P. THILL
Town Clerk**

November 4, 1996

File: rvtordh.1

COMMUNICATIONS

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- 780. Resident to Town Board -
Concerns and expression of disapproval for proposed 50 unit senior housing complex on Primrose Lane. **DISPOSITION:** Received and Filed
- 781. Building Inspector to Town Board -
Recommend Ferry Builders, Inc. be permitted to removed excess topsoil within Autumn Park Subdivision, Phase I. **DISPOSITION:** Received and Filed
- 782. Building Inspector and Town Engineer to Town Board -
Recommend issuance of dumping permit for Catherine Panzarella for sulbot on Walden Ave. **DISPOSITION:** Received and Filed
- 783. Town Attorney to Roy Schneggenburger -
Advisement re: FOIL request. **DISPOSITION:** Received and Filed
- 784. Town Attorney to Guy Schiavi -
Response to appeal for access to records request. **DISPOSITION:** Received and Filed
- 785. Town Clerk to Roy Schneggenburger -
Directive re: communications addressed to various town officials. **DISPOSITION:** Received and Filed
- 786. Supervisor to Town Board Members and Town Clerk -
Transmittal of 1997 tentative budget message. **DISPOSITION:** Received and Filed, Chief Financial Officer
- 787. Residents of Stony Rd. to Town Board -
Petition requesting speed reduction on Stony Rd to 30 mph. **DISPOSITION:** Received and Filed
- 788. Town Clerk to Town Board -
Transmittal of Advantage Trucks & Salvage Inc. 1997 license application to conduct a salvage yard. **DISPOSITION:** Town Attorney
- 789. Erie County Comptroller to Supervisor -
Notice of seminar to be held 10/28/96 in Buffalo re: use of credit cards by NYS municipalities. **DISPOSITION:** Received and Filed
- 790. Town Attorney to Town Board -
Advisement re: Andrusz rezone. **DISPOSITION:** Received and Filed
- 791. Assoc. of Towns to Supervisor -
Expression of appreciation re: veto of Senate Bill 1298 - mortgage tax revenues. **DISPOSITION:** Received and Filed
- 792. A/E Group, Inc., Consulting Engineers to Town Board -
Prospectus. **DISPOSITION:** Received and Filed
- 793. Lancaster Village Dir. Of CD to Supervisor -
Request Town Board approve joint application for 1997-1998 CDBG funds. **DISPOSITION:** Supervisor
- 794. ECDEP to Supervisor -
Comments re: CDGB Citizens Survey results for individual communities. **DISPOSITION:** Received and Filed
- 795. Lancaster Village Clerk to Supervisor -
Request on behalf of Village Board for Town ordinance amendment re: stop sign at Spohn and Brunswick. **DISPOSITION:** Received and Filed
- 796. Twin District V.F.C. to Town Clerk -
Notification of deletion of member from active roster. **DISPOSITION:** Received and Filed

797. Town Clerk to Town Board -
Transmittal of J. Renaks & Sons, Inc. 1997 license application to conduct a salvage yard. **DISPOSITION:** Received and Filed
798. Planning Board to Town Clerk -
Agenda for 11/6/96 meeting. **DISPOSITION:** Received and Filed
799. ECDEP to Benderson Development -
Criteria to be met re: sanitary sewer approval for Transit/Wehrle Retail Center.
DISPOSITION: Engineer
800. EMS Consulting to NYSDOT -
Response to comments contained in letter to Dep. Town Attorney re: March 1996 Traffic Impact Study for Transit/Wehrle Retail Center. **DISPOSITION:** Planning Committee
801. General Crew Chief to Robert J. Miller & Associates -
Request investigating possibility of funding through government funds for Hillview Elementary playground equipment. **DISPOSITION:** Received and Filed
802. Town Clerk to News Media -
Notice of SEQR meeting to be held 11/4/96 re: Josela Enterprises rezone petition and proposed Centerbrook Subdivision. **DISPOSITION:** Received and Filed
803. Town Clerk to Zoning Board Members, Building Inspector and Town Attorney -
Transmittal of variance petitions for meeting to be held 11/14/96. **DISPOSITION:** Received and Filed
804. Town Clerk to Building Inspector -
Notice of suspension of building permits for GlenHollow Subdivision, Phase IIC due to resolution conditions not being met. **DISPOSITION:** Town Attorney, Planning Committee
805. Town Clerk to Building Inspector -
Notice of suspension of building permits for Woodgate Subdivision, Phase IIB due to resolution conditions not being met. **DISPOSITION:** Received and Filed
806. Town Attorney to Town Board -
Advisement of US Postal Service building postal annex on site behind Edukids Day Care Center on south side of Como Park Blvd. And Penora St. **DISPOSITION:** Received and Filed
807. NYSDEC to Epic Capital Corp. -
Notice of Complete Application for Freshwater Wetlands and Clean Water Act re: Epic Dome. **DISPOSITION:** Planning Committee
808. NYSDOT to Lancaster Historic District Committee -
Notification that as a result of request, the DR/DEIS for the Broadway widening project will not be distributed before January 1997. **DISPOSITION:** Received and Filed
809. General Crew Chief to Supervisor -
Request approval to obtain licensing and insurance for the conduct of spraying trees by the Parks and Recreation Dept. **DISPOSITION:** Received and Filed
810. Police Chief to Assembly Member Sandra Lee Wirth -
Letter of appreciation for efforts resulting in grant approval to Police Department for purchase of mobile data terminals for police vehicles. **DISPOSITION:** Received and Filed
811. Blizzard Bflo to Supervisor -
Proposal for "Lancaster Community Day" tentatively scheduled for 12/29/96 at Marine Midland Center. **DISPOSITION:** Received and Filed
812. Lucian Greco to Town Board -
Response to charges if alleged fiscal irresponsibility. **DISPOSITION:** Received and Filed

ADJOURNMENT:

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ON MOTION OF COUNCIL MEMBER STEMPIAK, AND SECONDED BY THE
ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 12:03 A.M.

Signed Robert P. Thill
Robert P. Thill, Town Clerk